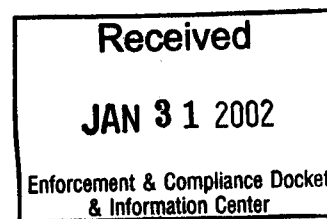


January 25, 2002

U.S. Environmental Protection Agency
Enforcement & Compliance Docket
& Information Center (2201A)
Attn: Docket No. EC-2000-007
1200 Pennsylvania Ave., N.W.
Washington, D.C. 20460



RE: Cross-Media Electronic Reporting and Recordkeeping Rule,
"CROMERRR"

Dear Sir:

Occidental Chemical Corporation (OxyChem) appreciates the opportunity to provide comment on the Environmental Protection Agency's (EPA's) proposal of Cross Media Electronic Reporting and Recordkeeping Rule, a.k.a. "CROMERRR".

OxyChem is one of the world's largest chemical producers. OxyChem has interests in basic chemicals, petrochemicals, polymers and plastics. These chemicals are used in manufacturing such products as pharmaceuticals, automobile parts, audio CD's, solvents, appliances, pesticides, water treatment chemicals, coatings, vinyl siding, medical supplies, detergents and aircraft parts. In addition, OxyChem actively participates in several trade associations such as American Chemistry Council (ACC), Chlorine Institute (CI), and Chlorine Chemistry Council (CCC). OxyChem is fully supportive of the comments submitted by the American Chemistry Council as part of this docket.

OxyChem owns and operates 24 chemical plants throughout the United States. Each facility is actively involved in the collection of environmental data, necessary to comply with their Federal and State environmental permits. The only way to effectively manage the volume of data collected is through the use of computers. Every data system, computer, or Laboratory Information Management System containing an electronic record of environmental data would need to be examined for compliance with CROMERRR. This could affect hundreds of records within a single operating plant. OxyChem estimates the cost of conducting a company wide CROMERRR compliance audit to be in excess of 5 million dollars, without replacing or updating a single system. OxyChem is unable to estimate the cost, manpower requirements, or system requirements to implement CROMERRR within our company at this time. When multiplied by the thousands of companies to which CROMERRR would apply, the costs of the proposed rule far outweigh the benefits.

Additional OxyChem concerns with provisions of CROMERRR are:

1. The voluntary record-keeping provisions contained in CROMERRR would for all practical purposes be mandatory for OxyChem. This is because CROMERRR's definition of "electronic record" appears to encompass any data that ever passes through a computer, at any stage in the life of the information. As proposed, it appears



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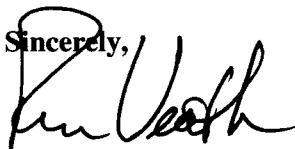


an electronic record must meet the applicable CROMERRR criteria or it would no longer satisfy the underlying record-keeping requirement. Paper record-keeping is typically not an option for OxyChem because records are generated electronically in the first instance, or simply because of sheer volume of data.

2. Achieving the authenticity, reliability, and long-term availability of electronic records in the manner that CROMERRR mandates, would be especially taxing because of the susceptibility of record content and structure to inevitable advances in hardware and software. OxyChem could be forced into maintaining a separate data system, simply for data storage and retrieval purposes, comprised of out-of-date, or obsolete equipment.
3. CROMERRR seems to declare today's use of computers to meet EPA record-keeping requirements is impermissible. And would allow such only after EPA announces that such usage may begin.
4. Occidental currently reports environmental data electronically to several States. Under CROMERRR, as proposed, it appears that OxyChem would not be able to continue this process, but would be forced to revert back to paper reports, thereby eliminating the considerable efficiencies for OxyChem and the receiving States that modern technology affords.

OxyChem is supportive of any reasonable system, process, or program that provides efficiency and cost-effectiveness in electronic reporting. However, we have strong reservations about the record-keeping requirements imposed by CROMERRR and feel that cost savings obtained by electronic reporting would be more than overshadowed by the audit trail requirements. Data integrity is paramount for any report, whether it is electronic or paper. It is still the obligation and responsibility of the data submitter to protect the integrity of the data, and to ensure its retention and security as required by the underlying statute.

To reiterate, OxyChem appreciates the opportunity to provide comment on this proposal.

Sincerely,


Ron Veath
Regulatory Specialist